

Serial No. 08/470,571
Docket No. 5634.0261

K. Ward
4/27/02
#43
Informant
R. 1.129(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John C. Harvey and
James W. Cuddihy

Serial No. : 08/470,571

Filed : June 6, 1995

For : SIGNAL PROCESSING APPARATUS AND METHODS

Group Art Unit : 2614

Examiner : Harvey, D.

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Technology Center 2600

Box: AF
Commissioner for Patents
Washington, D.C. 20231

SUBMISSION UNDER 37 C.F.R. 1.129(a)

Sir:

Applicants request that the finality of the final rejection dated August 27, 2001, be withdrawn in view of this timely filed submission under 37 C.F.R. § 1.129(a). Check no. 2050498 for \$740.00 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r). The present application has an effective pendency of at least two years as of June 8, 1995, taking into account any reference of record to any earlier filed application under 35 U.S.C. §§ 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being filed prior to the filing of an appeal brief and prior to abandonment of the application. Applicants therefore respectfully request that the Amendment and Request for Reconsideration under 37 C.F.R. § 1.116 previously filed on January 28, 2002, be entered and considered.

02/28/2002 MGBREM1 00000103 08470571

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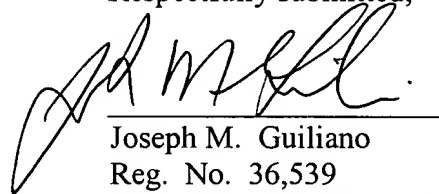
740.00 OP

Applicants respectfully request a three-month extension of time in which to respond to the Final Office Action mailed on August 27, 2001, for which a response period expiring on November 27, 2001 was set. Applicants on January 28, 2002 petitioned and paid for a two-month extension of time which expired on January 28, 2002. The enclosed fee covers the final month of the three-month period that expires on February 27, 2002. Check No. 2050483 for \$520.00 is enclosed in payment of the fee set forth in 37 C.F.R. § 1.17(a)(2). However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a).

Any additional fees required in connection with the filing of this Submission under 37 C.F.R. § 1.129(a) or the Petition for Extension of Time under 37 C.F.R. § 1.136(a) are hereby authorized to be charged to our Deposit Account No. 06-1075.

If the Examiner has any remaining informalities to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such informalities.

Respectfully submitted,



Joseph M. Guiliano
Reg. No. 36,539
Phone No. 212-596-9000
Fax No. 212-596-9090

Date: February 27, 2002
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020